March 2, 2004

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: Method and system for advertising

US File # 20010034643 Filed: March 12, 2001

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is 20010034643

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon a databases maintained at the client level in a client-server ad delivery system. The appropriate ads are selected through profiling techniques at the server level then a database is created and downloaded (transmitted) via the internet (0016) to the "Game System" at the User's computer. Multiple ad databases may be downloaded and stored to correspond with an appropriate game. The Game System software can monitor play habits and display content (display advertising) based on voluntary user actions and related game triggers correlating with the appropriate ad database for that game. The ad databases are remotely controlled and updated or replenished frequently. (0021)

The abstract clearly states, "A method and system for displaying advertisements to a user is provided. In one embodiment, the advertisement system downloads a collection of advertisements from an advertising server to the user's computer. When the user executes a computer program at the user's computer, the advertisement system displays the downloaded advertisements to the user. Thus, the advertisements can be displayed to the user even when the user's computer is not connected to the Internet."

Relevant Claims are 1, 2, 4, 8, 9, 11 and numerous others that discuss downloading new content to the client and replacement of old content based upon a number of other voluntary user actions exemplified through game play. The system is described in (0016) (0019) (0021) and others.

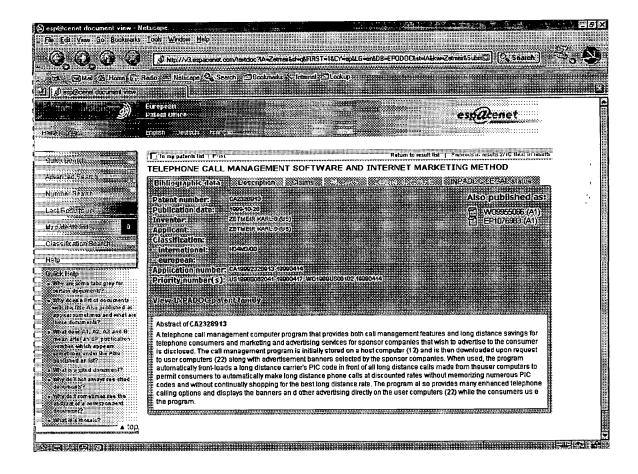
This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

I am objecting to this patent filing as it is neither novel nor unique. It is of particular note that no prior art was submitted with this filing and only some vague references to server profiling systems. The filers are correct that a targeted system based on voluntary user movements client software interactions is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

- 1. US Patent 6,141,010 ... similar technology
- 2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
- 3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 3/12/2001 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.



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Computer interface method and apparatus with targeted advertising	
Abstract	
A method and apparatus for providing an automatically upgradeable software application that includes targeted advertising based upon demographics and interaction with the computer. The software application is a graphical user interface that includes a display region used for banner advertising that is downly time to time over a network such as the Internet. The software application is accessible from a server via the Internet and demographic information on the acquired by the server and used for determining what banner advertising will be sent to the user. The software application further targets the advertisement response to normal user interaction, or use, of the computer. Associated with each banner advertisement is a set of data that is used by the software applic determining when a particular banner is to be displayed. This includes the specification of certain programs that the user may have so that, when the user may program (such as a spreadsheet program), an advertisement will be displayed that is relevant to that program (such as an advertisement for a stock broken provides two-tiered, real-time targeting of advertisingboth demographically and reactively. The software application includes programing that accesses on occasion to determine if one or more components of the application need upgrading to a newer version. If so, the components are downloaded and instance of the application need upgrading to a newer version. If so, the components are downloaded and instance of the application need upgrading to a newer version. If so, the components are downloaded and instance of the application need upgrading to a newer version. If so, the components are downloaded and instance of the application need upgrading to a newer version. If so, the components are downloaded and instance of the application need upgrading to a newer version. If so, the components are downloaded and instance of the application in the application in the application is accessed.	paded from user is s in cation in uns the rage). This the server

